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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/710,439 | 07/12/2004 | Hsin-Nung Lee | SNOP0005USA | 4438 |
| 27765 | 7590 | 12/28/2005 | EXAMINER | |
| NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION | | | LEE, Y MY QUACH | |
| P.O. BOX 506 | | | ART UNIT | |
| MERRIFIELD, VA 22116 | | | PAPER NUMBER | |
| | | | 2875 | |

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

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|------------------------------|------------------------|--|---------------------|--|
| Office Action Summary | Application No. | | Applicant(s) | |
| | 10/710,439 | | LEE, HSIN-NUNG | |
| | Examiner | | Art Unit | |
| | Lee Y Quach | | 2875 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4 and 5 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2875

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawing figure 6 is objected to as failing to comply with 37 CFR 1.84(p)(5) because it includes the reference character (52) not mentioned in the description.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informality: Paragraph 0017, line 20, the term "the second 46" is improper and should be changed to --the second latch--. Appropriate correction is required.

Claim Objections

4. Claim 3 is objected to because of the following informalities: In claim 3, the term "an" is incorrect, in view of the following term "lower", and should be changed to --a--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Murase et al.

Murase et al. show an upper housing (figure 6) having a cold cathode fluorescent first lamp (35) for generating light and a first lampshade (32) for collecting light generated by the first

Art Unit: 2875

lamp, a lower housing (figure 6) having a second lamp (35) for generating light and a second lampshade (32) for collecting light generated by the second lamp, a backlight module having a light guide plate (21), a transparent film (27) capable of diffusing light positioned on a first plane of the light guide plate and a reflection film (29) positioned on a second plane of the light guide plate to reflect light from the first and second lamps, the light guide plate having four sides, two of the four sides connected with the upper housing and the lower housing, and the other two sides respectively covered with a reflective material (31) for reflecting light from the light guide plate back to the light guide.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by Murase et al.

Murase et al. disclose the invention substantially as claimed with the exception of having the thickness as claimed. It would have been an obvious matter of design choice to have the thickness of the backlight module as claimed, since such a modification would have involved a mere change in the size and shape of a component. A change in size or shape is generally recognized as being within the level of ordinary skill in the art to accommodate different applications to suit their different needs.

9. Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Velez.

Velez discloses an upper housing (figure 4-2) having a first lamp (12) for generating light and a first lampshade (2) for collecting light generated by the first lamp, a lower housing (figure 4-2) having a second lamp (12) for generating light and a second lampshade (12) for collecting light generated by the second lamp, a backlight module having a light guide plate (1) and a reflection film (reflective coating, column 3, lines 7 to 8) positioned on a second plane (a rear plane) of the light guide plate to reflect light from the first and second lamps, the light guide plate having four sides, two of the four sides connected with the upper housing and the lower

Art Unit: 2875

housing, the other two sides respectively covered with a reflective material (figure 1-1, note that the lamp shade 2 is aluminum such that its nature is reflective) for reflecting light from the light guide plate back to the light guide, the upper housing having at least one opening for connecting a fixture (8, figures 1-1 and 1-2). Note that since there is no structure associated with the fixture being used solely for placing the backlight display panel, the language “used for placing the backlight display panel” therefor convey intended use in the claim, no patentable weight is given thereto. However, Velez does not disclose that the first and second lamps are fluorescent lamps and a transparent film is capable of diffusing light positioned on a first plane of the light guide plate.

Nakayama et al. teaches it is known in the art to use a transparent film (27) capable of diffusing light positioned on a first plane (a front plane) of the light guide plate to diffuse the light from the light guide plate positioned between two opposite cold cathode fluorescent lamps (5a, 5b).

It would have been obvious to one skilled in the art to use the first and second fluorescent lamps of Nakayama et al. in place of the light sources of Velez since it is old and well known that incandescent, fluorescent and light emitting diode light sources are interchangeable and/or can also be used in combination to accommodate different intended applications so that their different needs can be accomplished. It would have also been obvious to one skilled in the art to position on the first plane of the light guide plate of Velez with a transparent film, as shown by Nakayama et al., for diffusing light from the light guide plate.

With regards to claim 2, it would have been an obvious matter of design choice to have the thickness of the backlight module as claimed, since such a modification would have involved a mere change in the size and shape of a component. A change in size or shape is generally recognized as being within the level of ordinary skill in the art to accommodate different applications to suit their different needs.

10. Claim 3 would be allowable if rewritten to overcome the objection set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Art Unit: 2875

Conclusion


11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Matsui et al. is cited to show other pertinent surface light source panel.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2737. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is 571-272-2815.

Y. Q.
December 15, 2005


Y Quach Lee
Primary Examiner
Art Unit 2875